United Nations A/69/306

General Assembly

Distr.: General
12 August 2014

Original: English

**Sixty-ninth session**
Item 69 (c) of the provisional agenda*
**Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

# Situation of human rights in the Islamic Republic of Iran

## Report of the Secretary-General

*Summary*

The present report is submitted in accordance with General Assembly resolution 68/184, in which the Assembly requested that the Secretary-General submit a report to it at its sixty-ninth session. The report indicates the patterns and trends in the human rights situation in the Islamic Republic of Iran and describes the progress made in the implementation of the resolution. It also contains recommendations aimed at improving the human rights situation. In resolution 68/184, the Assembly called upon the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the previous reports of the Secretary-General and to respect fully its human rights obligations, in law and in practice, in relation to a number of specifically identified concerns.

* A/69/150.

14-59089 (E) 280814

Please recycle

# I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 68/184, in which the Assembly requested the Secretary-General to report to it at its sixty-ninth session. The report provides information on progress made in the implementation of the resolution, focusing on the concerns identified therein.

2. The report draws upon observations made by the United Nations human rights treaty monitoring bodies, the special procedures of the Human Rights Council, various United Nations entities and non-governmental organizations. It also refers to information from official State media.

3. Since the issuance of the latest report of the Secretary-General to the Human Rights Council (A/HRC/25/26), the application of the death penalty, including in relation to political prisoners and juvenile offenders, has increased. Reports of the arbitrary detention and prosecution of journalists, human rights defenders and women rights activists have continued to be received. Discrimination against minority groups has persisted, in some cases amounting to persecution. During the reporting period, the Government made statements and overtures regarding gender equality, media freedom and the easing of online restrictions, but these were not followed by concrete steps to effectively address concerns in those areas.

4. The Government of the Islamic Republic of Iran continued to engage constructively with the United Nations treaty bodies, by recently submitting its periodic report to the Committee on the Rights of the Child. Unfortunately, the Government did not engage substantively with the special procedures of the Human Rights Council. No mandate holder, including the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, has been admitted to the country since 2005, and the number of replies to the large volume of communications transmitted by the special procedures continued to decline.

# II. Overview of the human rights situation in the Islamic Republic of Iran

## A. The death penalty

### 1. Use of the death penalty

5. During the reporting period, the United Nations High Commissioner for Human Rights and relevant special procedures of the Human Rights Council repeatedly expressed serious concern at the alarming number of executions in the Islamic Republic of Iran, urging the Government to restrict the use of and/or abolish the death penalty in law and practice. They expressed regret at the fact that the new Government had not initiated changes in that regard and that capital punishment had continued to be imposed for a wide range of offences. Several special procedures mandate holders issued communications on the matter.

6. Approximately 700 persons are reported to have been executed in 2013,[1] a dramatic rise compared with 2012. The application of the death penalty for drug-

[1] See, for example, Amnesty International, "Death sentences and executions 2013", available at http://www.amnesty.org/en/library/asset/ACT50/001/2014/en/652ac5b3-3979-43e2-b1a1-6c4919e7a518/act500012014en.pdf; see also http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Iran.

related offences constitutes more than 70 per cent of the overall executions in the Islamic Republic of Iran.[2] On 10 June 2014, in her opening statement to the Human Rights Council, the High Commissioner noted that since January 2014, more than 200 individuals had been executed, mostly for drug crimes that did not meet the threshold of "most serious crimes" under international human rights law.

7. Senior judicial officials have argued that the rising numbers of executions were necessary to combat drug-trafficking. On 4 March 2014, Mohammad Javad Larijani, Head of the High Council for Human Rights of the Islamic Republic of Iran, was quoted as saying that, instead of criticizing the Islamic Republic of Iran for its increasing numbers of executions, which stemmed from the country's assertive campaign against drug trafficking, the international community should express gratitude for this great service to humanity.[3] The authorities have also argued that drug-smuggling often involves other serious crimes such as murder and armed clashes. It appears that Afghan citizens are among those executed for drug-related offences. For example, 13 Afghan nationals, including a juvenile, were reportedly executed in April 2014 alone.

8. While noting the strenuous efforts of the Islamic Republic of Iran to combat drug trafficking, the Secretary-General stresses that there is no evidence to suggest that the death penalty has contributed to the eradication of drug trafficking in the country, and urges the Government to work with the United Nations on effective alternative strategies to address this problem.

9. In most cases, executions were reportedly carried out following proceedings that did not comply with international human rights norms regarding fair trial and due process, provided in article 14 of the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a State party. People on death row were reportedly often deprived of appeal, especially in cases involving drug-related offences; trials were often held behind closed doors, with the judges having discretion to restrict lawyers' access to the defendants, and confessions obtained under duress and torture continued to be used as evidence in court proceedings. In their comments on this report, the authorities stressed that the death penalty could be used only for the most serious crimes and that defendants were granted all due process guarantees during their trials, including access to a lawyer and the right to appeal. A number of individuals were also executed in secret,[4] without relatives being informed or given the opportunity for a final visit. In certain instances, the bodies of the victims were not returned to their families for proper burial and religious rituals.

10. In addition to the wide range of offences punishable by the death penalty under Iranian law, the judiciary appeared to be expanding its scope to include political cases and non-violent economic crimes. On 5 June 2014, a group of special

[2] Amnesty International, "Iran: juvenile offender nearing execution" (19 June 2014), available at http://www.amnesty.org/en/library/info/MDE13/037/2014/en; see also http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Iran.

[3] Tasnim News Agency (22 March 2014), available at www.tasnimnews.com/Home/Single/302871.

[4] Reliable sources suggest that more than 197 persons were executed between 1 January and 10 June 2014, the majority in secret. See Amnesty International, "Iran: juvenile offender nearing execution" (19 June 2014), available at http://www.amnesty.org/en/library/info/MDE13/037/2014/en.

procedures mandate holders[5] expressed outrage at the execution of a political prisoner, Gholamreza Khosravi Savadjani, on 1 June for gathering information and collecting and sending donations to the Mujahideen Khalq Organization, accused of terrorism. Mr. Khosravi had been arrested in 2008 and initially sentenced to six years in prison for alleged espionage by a revolutionary court. In 2011, while he was serving his sentence, Mr. Khosravi was tried again. He was sentenced to death under charges of *moharabeh* (enmity against God), which were upheld on appeal. The new Islamic Penal Code, which came into force in 2013, prohibits the use of capital punishment for *moharebeh* in cases that do not involve the use of weapons. However, authorities have argued that this verdict was issued before the new code had come into effect.

11. On 24 May 2014, Mahafarid Amir Khosravi, a former businessman accused of perpetrating a $2.6 billion financial fraud, was executed after appeal.[6] Four of the 39 persons convicted in this case were sentenced to death; others received jail sentences, including life imprisonment.[7] The Secretary-General echoes the concern of several special procedures mandate holders that the fight against corruption does not justify the execution of individuals on charges of embezzlement, particularly following a trial allegedly marred by lack of transparency and fairness.[8]

12. Twenty-seven women were executed in 2013, and four were confirmed to have been executed during the first half of 2014, at least one of whom was a victim of forced early marriage. Farzaneh Moradi, who was reportedly forced into marriage at the age of 15, was hanged on 4 March 2014 in Isfahan prison after being tried for the murder of her husband. She had originally confessed to the murder, but later explained that it had been carried out by a man who had persuaded her to confess to the crime, convincing her that a young mother would not be executed. The court reportedly did not allow a revision to her original confession.[9]

13. The Secretary-General noted reports detailing *qisas* cases[10] in which the judiciary had encouraged victims' relatives to reach private settlements (blood money) even after judicial process. In some cases, the convict's life had been spared, after the victim's family had pardoned him, at the very last minute. For example, on 22 May 2014 the semi-official news outlet the Iranian Students' News Agency (ISNA) reported that an individual convicted of murder had been saved from execution after the victim's family had pardoned him. The execution order had

---

[5] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14667&LangID=E.

[6] In their comments on this report, the authorities argued that disruption of the economic system of the country was considered a grave crime, punishable by death in the Islamic Penal Code, and that Mr. Khosravi, by committing massive fraud, had violated public rights by disrupting and damaging the country's economy.

[7] Press TV, "Iran sentences four people involved in biggest bank scam to death" (30 July 2012), available at www.presstv.com/detail/2012/07/30/253514/iran-condemns-4-to-death-in-bank-fraud/.

[8] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14667&LangID=E.

[9] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14509&LangID=E.

[10] The prosecution of *qisas* crimes must be instigated by the victim. Victims of qisas crimes are allowed to choose the punishment that will be imposed. They may opt to forgive the defendant and demand no punishment at all, or to demand a payment, known as *diyah*, as compensation for the crime.

reportedly been upheld by the appeals court as well as by the head of the judiciary.[11] In their comments on this report, the authorities reported that 125 individuals had been spared from execution in 2013, after the Government had mediated *diyah* settlements, or clemency. Despite those efforts, at least 85 persons are known to have been executed in *qisas* cases during the first five months of 2014. *Qisas* often violates the right of defendants to seek pardon or commutation under international law,[12] especially when the power of pardon is not viewed as resting with the State.

14. Although the judiciary considers *qisas* to be a private right of the victim's family that cannot be overruled by the judiciary, the Secretary-General stresses that it is the State's responsibility to stop such executions.

### 2. Execution of juvenile offenders

15. International human rights law imposes an absolute ban on death sentences against persons younger than 18 at the time of the commission of the offence. Article 6 of the International Covenant on Civil and Political Rights and article 37 of the Convention on the Rights of the Child, both of which have been ratified by the Islamic Republic of Iran, prohibit the imposition of the death penalty for crimes committed by children. Imposing the death penalty for offences committed by persons younger than 18 is thus incompatible with the obligations of the Islamic Republic of Iran under international human rights law. The United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice urge Member States to review, evaluate and, where necessary, update their national laws to ensure that, under legislation and practice, neither capital punishment nor life imprisonment without the possibility of release is imposed for offences committed by minors.

16. Although the revised Islamic Penal Code creates a more favourable environment for the implementation of juvenile justice standards for children in conflict with the law, it still provides for the death penalty for juvenile offenders.[13]

17. According to information gathered from reliable sources, more than 160 juveniles are currently on death row and at least two have been executed in recent months for crimes that they committed when they were younger than 18. On 18 April 2014, Jannat Mir, a 17-year-old Afghan citizen, was executed for drug-related offences in Isfahan. He was 15 at the time of his arrest and reportedly had no access to a lawyer or consular services. There is also the concern that fair trial standards were not observed in this case. The authorities did not allow Mr. Mir's family members to take his body back to Afghanistan for proper burial, and allegedly forced them to bury him in Isfahan in front of security officers. This particular case is especially troubling, because it involved a drug offence against the State, rather than a murder under the *qisas*, and therefore the power of pardon rested with the State. In another case, on 26 February 2014 Iranian media reported the execution of Mr. Ramin, who had allegedly killed his cousin following a fight. Mr. Ramin was reportedly 17 at the time of the commission of the crime.[14] The Government has not been able to confirm the details of these cases.

---

[11] ISNA (22 May 2014), available at www.isna.ir/fa/news/93030100079/.

[12] International Covenant on Civil and Political Rights, article 6.4.

[13] A/68/377, para. 17.

[14] Dana News Agency (27 February 2014), available at http://dana.ir/News/66580.html.

reports that prisoners had been allegedly passing information to the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.[17]

22. The Secretary-General is concerned about the deteriorating health of a leader of the Green Movement, Mir-Hossein Mousavi, and the reported denial of access to adequate medical care, despite the serious health complications that he suffers, including high blood pressure and a worsening heart condition. Mr. Mousavi, who has been under house arrest since February 2011, has reportedly developed these health complications during his prolonged house arrest and is in need of specialist medical care. His health is reported to have further deteriorated since March 2014. Moreover, he has reportedly been denied regular contact with his relatives.[18] Special procedures have repeatedly called for the immediate release of Mr. Mousavi and another leader of the Green Movement, Mehdi Karoubi,[19] declaring their detention to be arbitrary and in violation of the international obligations and national laws of the Islamic Republic of Iran.[20] The Secretary-General calls upon the Government to immediately release the two Green Movement leaders and other political prisoners, including Mr. Pourshajari and Mr. Boroujerdi, and to facilitate their urgent and adequate access to medical care.

## C. The situation of women

23. On 23 April 2014, the Islamic Republic of Iran was elected to the Economic and Social Council Commission on the Status of Women for a second consecutive term. The country has not yet ratified the Convention on the Elimination of All Forms of Discrimination against Women.[21]

24. The Islamic Republic of Iran has accomplished important achievements in the area of women's education and health.[22] More than 60 per cent of university students and 25 per cent of university lecturers are women. At present, 600 women are working in the judiciary, with 118 of them having master's or doctoral degrees.[23] Despite a reported increase in the number of female judges, women hold only 7.5 per cent of judicial positions and are not allowed to preside over a court or to issue judgements on an equal footing with male judges, which helps to undermine

---

[17] On 22 April 2014, the Speaker of the Parliament's National Security Committee reportedly justified the raid and attributed it in part to the flow of information from inside the prison to the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Tasnim News Agency (21 April 2014), available at www.tasnimnews.com/Home/Single/345618.

[18] In their comments on this report, the authorities claimed that Mr. Mousavi enjoyed specialized medical care, had access to media and held periodic meetings with his family, including participation in religious ceremonies, birthdays and funerals.

[19] The two Green Movement leaders have been under house arrest since February 2011 for staging a rally in solidarity with protesters in Egypt, for which they had sought permission from the authorities. Since their arrest, neither has been formally charged or brought before a judge to contest the legality of their detention.

[20] On 29 August 2012, the Human Rights Council Working Group on Arbitrary Detention adopted opinion No. 30/2012 on this case, finding the detention to be arbitrary, as none of these people had been charged with a crime since their arrest, nor had they been brought before a judge to contest the legality of their detention.

[21] Tehran Times, "Iran elected to five United Nations committees" (25 April 2014), available at www.tehrantimes.com/politics/115328-iran-elected-to-five-un-committees.

[22] See A/HRC/25/26.

[23] Information submitted by the Organization for Defending Victims of Violence.

the gender sensitivity of the judicial system. The Government noted that relevant measures to promote women's political and socioeconomic status had been taken. These included the appointment of women's affairs advisers to all ministries and governmental organizations; the establishment of a women's and children's rights protection centre in the judiciary; the appointment of female advisers in family courts; the enactment of legislative reforms that promoted improvements in the status of women; and the establishment of special funds in the Ministry of Justice for female victims of violence.

25. The Secretary-General welcomes the recent emphasis of the President of the Islamic Republic of Iran, Hassan Rouhani, on gender equality and his efforts to appoint women to senior government positions, including at the provincial level. On 20 April, President Rouhani, speaking at the National Forum on Women Shaping Economy and Culture in Tehran, stressed that women must enjoy equal opportunities, equal protection and equal social rights.[24] Despite those developments, women remain underrepresented at the Cabinet level and face restrictions in seeking appointment to the Guardian Council of the Constitution, the Expediency Discernment Council and high-ranking judicial positions, in violation of the right of equal access to public service set out in article 25(c) of the International Covenant on Civil and Political Rights.

## D. Restrictions on freedom of expression and peaceful assembly

### 1. Freedom of expression

26. The Secretary-General welcomes President Rouhani's statements, made during an interview with NBC News in September 2013, that the Government wants people to be completely free in their private lives and that the right of free dialogue is the right of the people of Iran. He also notes the acknowledgment of the Minister of Intelligence and Security that the Government does not have the right to interfere in Iranians' private lives.[25] President Rouhani has pledged to decrease restrictions on freedom of expression and to ensure security for the press. Unfortunately, those promises have not yet led to significant improvements, and restrictions on freedom of expression continue to affect many areas of life.

### 2. Media freedom

27. The Secretary-General notes President Rouhani's promise to provide a more secure atmosphere for the media and his statement that freedom of information is a paramount aim for Iranian society.[26] This is a promising difference from previous administrations. The Minister of Culture and Islamic Guidance has also made positive statements, recognizing the rights of media employees.[27] The Secretary-General hopes that those statements will be translated into concrete steps.

---

[24] BBC, "Iran President Rouhani urges equal rights for women" (20 April 2014), available at http://www.bbc.com/news/world-middle-east-27099151.

[25] ISNA, available at http://isna.ir/fa/news/93020906481/.

[26] Tehran Times, "President Rouhani vows more secure atmosphere for media" (8 March 2014), available at http://tehrantimes.com/politics/114563-president-rouhani-vows-more-secure-atmosphere-for-media-.

[27] Official news press TV, "Iran's Rouhani says his administration values responsible freedom of media" (8 March 2014), available at www.presstv.ir/detail/353831.html.

28. The country's Constitution allows for freedom of expression and of the press provided that it is not "detrimental to the fundamental principles of Islam".[28] Whereas under the International Covenant on Civil and Political Rights, restrictions on freedom of expression and information must be provided by law, must serve one of the purposes listed in its article 19.3 and must be necessary for attaining those purposes, this open-ended terminology has often been broadly interpreted by the judiciary and thus applied arbitrarily.

29. Journalists and other media personnel are frequently summoned or detained by the judiciary or face harassment and attacks by security forces. As of May 2014, the lowest reported number of journalists detained in the country stood at 23,[29] with higher reported numbers ranging between 40 and 60.[30] Charges against them ranged from "assembly and collusion" to "insulting the Supreme Leader".

30. In February 2014, Arash Aslani was sentenced to eight years in prison on charges of anti-government propaganda and insulting Islamic values based on comments he had made on social media.[31] Earlier that month, a death sentence was upheld against Rouhollah Tavana on charges of insulting the Prophet of Islam and imams in a recorded private joke, insulting leaders, producing alcoholic drinks and disturbing public opinion. He was also sentenced to three years of imprisonment for insulting the Supreme Leader and the founder of the revolution. The Supreme Court has reportedly ordered a retrial, and the case is reportedly under consideration in provincial criminal court. On 7 June 2014, Mahnaz Mohammadi, a prominent documentary filmmaker and women's rights activist, was arrested to serve a five-year prison term, which was decided upon in November 2012 and upheld by the appeals court in early 2014.[32] Ms. Mohammadi was arrested and charged for collusion against national security and spreading propaganda against the State by cooperating with foreign media, including the BBC.

31. The judiciary has shut down or suspended several newspapers. Between October 2013 and April 2014, the editor of *Aseman* was detained and the publication closed down for publishing an interview stating that *qisas* punishments were inhuman;[33] *Ebtekar* was suspended for three days for "spreading lies" regarding the discharge of the country's prisons chief; *9 Day* was suspended for a short period for allegedly publishing false information; and *Aseman*, *Bahar* and *Qanon* were shut down for publishing articles that purportedly questioned the beliefs of Shiites as well as Iranian laws.[34]

32. The Secretary-General urges the Government to take positive action to demonstrate unequivocal political commitment to freedom of the media by ending harassment, attacks and prosecution against journalists for the peaceful exercise of

[28] See article 24.

[29] See www.cpj.org/imprisoned/2013.php#iran.

[30] See www.ifex.org/iran/2014/04/15/48_journalists_behind_bars_in_iran/; http://www.ifj.org/nc/news-single-view/backpid/1/article/ifj-demands-that-iranian-authorities-free-imprisoned-journalists/ and http://en.rsf.org/iran-support-for-european-resolution-10-04-2014,46126.html.

[31] See http://en.rsf.org/press-freedom-violations-recounted-08-01-2014,45705.html.

[32] See http://www.fidh.org/article15598.

[33] See http://united4iran.org/political-prisoners-database/search/.

[34] See www.ifj.org/nc/news-single-view/backpid/1/article/ifj-demands-that-iranian-authorities-free-imprisoned-journalists/ and https://news.vice.com/article/beatings-torture-and-imprisonment-its-not-easy-being-a-journalist-in-iran.

their work. He appeals to the President and the head of the judiciary to ensure the release of all journalists and media personnel who have been imprisoned for exercising their right to freedom of expression. In order to support good governance and governmental transparency and accountability, the State must allow individuals to exercise their right to seek, receive and impart information and to engage in meaningful discourse openly in the media, both traditional and online.

### 3. Internet censorship

33. President Rouhani promised to ease online restrictions, calling for the country to embrace the Internet and recognize Iranians' right to gain access to it.[35] The Minister of Culture and Islamic Guidance stated that the country should embrace current technology and that Iranian culture could not advance unless there was an open environment allowing for the exchange of contrasting ideas.[36] The Secretary-General commends this departure from previous policies, which promoted ever-increasing control and censorship. However, the Secretary-General deplores the fact that it appears that these words have not yet been translated into practical measures and that the judiciary has ordered the blocking of many social media platforms and websites. It is noteworthy that, while such sites as Twitter and Facebook are blocked for most Iranians, the leadership increasingly uses social media to broadcast messages.

34. The Internet is censored by the Supreme Council for Cyberspace, the Organized Crime Surveillance Centre and the Revolutionary Guards, which means that the national Internet is under control, with content being filtered and communications intercepted. The Government argues that this is necessary to fend off cyberattacks and to protect public morals. In April 2014, the Committee for Detecting Illegal Items banned the globally popular WhatsApp, an application designed for free text messaging, arguing that it reflected illegal concepts. In May 2014, invoking the privacy concerns of the nation, the court added the social media platform Instagram to the list of blocked or heavily restricted websites.[37] Furthermore, cyberpolice have shut down numerous Internet cafés that had permitted access to social media websites.

35. In May 2014, six young men and women were arrested for making a YouTube video that showed them dancing to the popular song "Happy".[38] The video was reportedly removed, and five of the participants were detained. They were later released on bail after a forced apology. The video's director, Sassan Soleimani, was freed on bail in June and is currently awaiting trial. During the same month, eight citizens, including a British national, were sentenced on various charges, including

[35] Tweeted by @HassanRouhani on 10 October 2013.

[36] Iran Pulse, "Culture minister likens Iran's fear of Internet to fear of fax machine" (9 June 2014), available at www.al-monitor.com/pulse/originals/2014/06/iran-culture-minister-likens-internet-fears-fax-machine.html.

[37] Source: Mehr News Agency.

[38] The Guardian, "Iranian Pharrell Williams fans detained over 'obnoxious' video" (20 May 2014), available at http://www.theguardian.com/world/2014/may/20/iranian-pharrell-fans-in-custody-after-making-happy-video.

blasphemy, propaganda against the Government and insulting the country's Supreme Leader on Facebook.[39]

### 4. Situation of human rights defenders and activists

36. Human rights defenders and other activists who challenge or are perceived as challenging the State are exposed to sanctions. In his latest report to the Human Rights Council (A/HRC/26/29/Add.1), the Special Rapporteur on the rights to freedom of peaceful assembly and of association noted his serious concern about the physical and mental well-being of Iranians exercising their right to assemble peacefully, and stressed the State's obligation, under international treaties and law, to respect the right to assemble, both in public and in private and online, regardless of class, race, religion, belief or dissenting viewpoint.

37. Despite President Rouhani's signals of greater openness to freedom of expression, association and peaceful assembly, the Government has failed to put in place an enabling and safe environment that is conducive to free expression. The judiciary frequently uses charges involving national security and propaganda against the system to hinder the peaceful work of human rights defenders and lawyers. The Special Rapporteur on the situation of human rights defenders has expressed concern at the overly broad interpretation of security-related charges used against lawyers and human rights defenders, which has resulted in disproportionate and undue restrictions on their right to carry out their legitimate and peaceful activities in the defence and promotion of human rights.[40]

38. Various United Nations human rights mechanisms have consistently advocated the release of prominent human rights defenders and lawyers, who have faced prosecution owing to the legitimate and peaceful exercise of their professional activities. For example, the prominent lawyers and human rights activists Abdolfattah Soltani, Mohammad Ali Dadkhah and Mohammad Seifzadeh are serving prison terms for charges believed to be linked to their legitimate professional work. The judiciary has disregarded the various requests made for their release. Most recently, on 28 May, the appeals court in Tehran sentenced Maryam Shafipour, a student activist, to four years of imprisonment. Ms. Shafipour had been arrested on 28 July 2013 after responding to a summons issued by Evin Prison Court. She reportedly spent 67 days in solitary confinement, and on 2 March 2014 was sentenced to seven years in prison on charges of propaganda against the Government and for assembly and collusion against national security. While in prison, Ms. Shafipour reportedly developed heart, stomach and dental problems and was denied medical treatment outside the prison despite repeated requests.

39. The Secretary-General urges the relevant authorities to take all measures necessary to defend the fundamental freedoms of the citizens of the Islamic Republic of Iran, and appeals to the judiciary to uphold freedom of expression, association and peaceful assembly, which are enshrined in the country's Constitution and international human rights treaties.

---

[39] The Telegraph, "British woman 'sentenced to 20 years in Iran for Facebook posts'" (30 May 2014), available at http://www.telegraph.co.uk/news/worldnews/middleeast/iran/10866253/British-woman-sentenced-to-20-years-in-Iran-for-Facebook-posts.html; The Daily Star, "Eight jailed in Iran over 'anti-gov' Facebook posts" (30 May 2014), available at http://www.dailystar.com.lb/News/Middle-East/2014/May-30/258251-8-jailed-in-iran-over-anti-gov-facebook-posts.ashx#axzz35RpQvCwP; see also http://www.irna.ir/fa/News/81235378/.

[40] See A/HRC/25/55/Add.3.

## E. Treatment of religious and ethnic minorities

40. In April 2014, President Rouhani stated that "all ethnicities, all religions, even religious minorities, must feel justice". During the same month, the head of the High Council for Human Rights publicly acknowledged that Baha'is were entitled to the same rights as all Iranian citizens, as stipulated in the State's Constitution, and asserted that they had never been targeted because of their faith.[41] The Secretary-General welcomes these commitments to ensuring equality. However, discrimination against ethnic and religious minorities reportedly persists both in law and in practice. Baha'is remain barred from access to higher education and government employment; they also continue to experience governmental interference in private employment.[42] Restrictions are placed on their rights to assemble and worship, and numerous Baha'i websites have been blocked.[43] In May 2014, there were reportedly 366 in-country websites containing anti-Baha'i remarks, and between April and May 2014 pro-government media outlets published hundreds of anti-Baha'i articles.[44]

41. According to non-governmental sources, as of June 2014 136 Baha'is were imprisoned, another 289 were awaiting trial and 150 had been sentenced but were awaiting appeals or summonses to serve their terms on charges ranging from membership in illegal groups to the commission of acts against national security.[45] In April 2014, a court reaffirmed the sentences of 20 Baha'is convicted of political charges after trials that had fallen short of international fair trial standards. Seven Baha'i leaders are currently serving 20-year prison terms, although the new Islamic Penal Code allows a court to issue parole to individuals who have served one third to one half of their sentences. Given that more than six years have passed since these leaders were imprisoned, the Secretary-General urges their unconditional release, or at least their release on parole.

42. Despite the official recognition of Christians in the Constitution, they have long experienced discrimination. As of January 2014, at least 50 Christians were imprisoned, mostly for associating with churches outside Iran, participating in informal "house churches" and engaging in other standard Christian activities.[46] The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran reported that in 2013, 35 Christians had been sentenced to prison terms of up to 10 years for their participation in Christian activities, mostly prayers, which the Iranian authorities classify as threats to national security. In October 2013, four Christians were sentenced to 80 lashes each for consuming wine during communion.[47] The most serious offence facing Christians is apostasy, which carries a death sentence. However, while this charge has been enforced only occasionally, authorities reportedly regularly threaten its use to stop Christians from engaging in religious activity.

---

[41] Iranian Labour News Agency (6 April 2014), available at http://www.ilna.ir/news/news.cfm?id=157330.

[42] The Baha'i representative to the United Nations reported at least 40 incidents involving interference with the right to employment from November 2013 to June 2014.

[43] Source: International Labour Organization.

[44] In their comments on this report, the authorities claimed that Baha'is enjoyed equal social, economic, cultural and citizenship rights and no one was imprisoned for holding an opinion or religious beliefs. They stressed that Baha'is were undertaking postgraduate and undergraduate studies and were active in the private sector.

[45] See https://www.bic.org/media/Current-situation-Bahais-in-Iran.

[46] See A/HRC/25/61.

[47] Ibid.

43. The country's ethnic minorities are frequently exposed to discrimination based on their ethnic backgrounds, religious beliefs or dissident views. Some receive harsh penalties on the ground that they have engaged in activities that threaten national security. As of October 2013, at least 20 Kurdish activists were reported to be on death row. A number of political prisoners belonging to the Arab and Baloch communities[48] have been executed since September 2013, after trials that fell short of international due process standards. On 21 February 2014, the United Nations High Commissioner for Human Rights expressed concern about the reported execution in secret in January 2014 of Hadi Rashedi and Hashem Sha'bani Amouri, both members of the Arab community in Khuzestan Province, following proceedings that did not meet international fair trial standards.[49] The two men were reportedly sentenced to death on charges of *moharebeh* (enmity against God), *mofsed fil-arz* (corruption on Earth) and acts against national security. Furthermore, the cultural rights activists Ali Chebieshat and Sayed Khaled Mousawi were reportedly executed after the Supreme Court had upheld their death sentences in early May 2014.[50] Various special procedures had issued an urgent appeal to the Government calling for a halt to the scheduled executions.[51]

44. The Secretary-General urges the Government to respect the freedom to practise the religion of one's choice, without fear of persecution or discrimination, provided for in article 18 of the International Covenant on Civil and Political Rights. The Secretary-General reiterates his call on the Islamic Republic of Iran to free all individuals imprisoned on the basis of their religion or belief. He also urges the Government to take decisive action to address discrimination in all spheres of life and to uphold and implement legislation that better protects minority groups and individuals.

## F. Economic sanctions and their impact

45. For years, the Islamic Republic of Iran has been under international and unilateral sanctions owing to the controversies surrounding its nuclear programme. The President has recognized the impact of those sanctions on the country and has promised to take action to ease them and their effects. The Islamic Republic of Iran argues that the sanctions have resulted in violations of civil, political, economic, social and cultural rights and have often caused significant disruptions in the distribution of food, pharmaceuticals and sanitation supplies, jeopardized the quality of food and the availability of clean drinking water, severely interfered with the functioning of basic health and education systems and undermined the right to

[48] On 26 October 2013, 16 individuals belonging to the Baloch community were executed following the killings of 14 border guards by an armed group at the border with Pakistan. There is no reported proof that those executed were involved in the incident, as all had previously been tried, convicted and sentenced to death well before the incident took place. See A/HRC/25/26.

[49] In their comments on this report, the authorities noted that Mr. Rashedi and Mr. Amouri were accused of armed conflict, planning to assassinate political leaders, attacking military facilities and membership in the separatist group Al-Muqavemah Al-Shaibiyah Le-tahrir Al-Ahvaz.

[50] The authorities alleged that Mr. Chebieshat and Mr. Mousawi were accused of terrorist acts including the bombing of oil and gas pipelines.

[51] See Amnesty International, "Iran: halt the execution of 33 Sunnis — accounts of cases raise fair trial concerns" (13 June 2014), available at http://www.amnesty.org/en/library/info/MDE13/032/2014/en?refresh=2491672220.

work.[52] While it is difficult to assess the direct impact of the sanctions, it is accepted that they have affected most of the country's sectors, including the economy, health care and the environment. In January 2014, negotiations between the Islamic Republic of Iran and the five plus one group resulted in some sanction relief in exchange for the suspension of the country's most sensitive nuclear programme activities over a six-month period.

46. Since the presidential elections of June 2013, the economy has shown signs of improvement.[53] The exchange rate has increased, and as of January 2014 the inflation rate had declined to 29 per cent. The International Monetary Fund has labelled the country's economic development as "promising", predicting that it would emerge from recession by 2014 with an inflation rate of 23 per cent, decreasing from 35 per cent in 2013.[54] With nascent signs that the speed of contraction in the country is slowing, it is anticipated that the economy will begin to stabilize during the period 2014-2015, with gross domestic product expected to rise as much as 2 per cent.[55] Despite those optimistic predictions, unemployment remains high and one fifth of the population reportedly lives under the poverty line.

47. While sanctions exempt the financing and importation of humanitarian items such as food and medicine, foreign companies and banks have been very cautious, often opting not to conduct business in the Islamic Republic of Iran owing to fear of repercussions. The hindrance of the acquisition and distribution of medical and pharmaceutical supplies is also due in part to the difficulties that insurance companies experience when attempting to provide coverage to Iranian importers and exporters.

48. Sanctions against the Islamic Republic of Iran have restricted the sale of gasoline and equipment or services that would assist in developing the country's fuel refining processes and in curbing air pollution. According to the latest figures of the World Health Organization (WHO), 4 of the 10 most polluted cities in the world are in the Islamic Republic of Iran,[56] and the country's air quality is the fifth worst in the world.[57] The Ministry of Health and Medical Education has reported that the rise in respiratory and heart disease and cancers is due to pollution. Owing to high pollution levels, the country has occasionally temporarily shut down schools, banks and government offices; the sick and elderly have been told not to leave their homes; and people have been banned from driving their cars on designated days.[58]

---

[52] A/69/97, paras. 9 and 10.

[53] Tehran Times, "Iranian economy will return to growth in 2014: Business Monitor" (20 May 2014), available at www.tehrantimes.com/economy-and-business/115847-iranian-economy-will-return-to-growth-in-2014-business-monitor.

[54] Tehran Times, "IMF calls Iran's economic development 'promising'" (11 April 2014), available at www.tehrantimes.com/economy-and-business/115005-imf-calls-irans-economic-development-promising, and "Iran's inflation rate hits 32.5%: Central Bank" (30 April 2014), available at www.tehrantimes.com/economy-and-business/115441-irans-inflation-rate-hits-325-central-bank.

[55] Tehran Times, "Iranian economy will return to growth in 2014: Business Monitor" (20 May 2014), available at www.tehrantimes.com/economy-and-business/115847-iranian-economy-will-return-to-growth-in-2014-business-monitor.

[56] See http://www.who.int/mediacentre/news/releases/2011/air_pollution_20110926/en/.

[57] ABC News, "Air pollution: 10 countries with the world's dirtiest air" (9 May 2014), available at www.abc.net.au/news/2014-05-08/10-countries-with-the-worlds-dirtiest-air/5438872.

[58] Newsweek, "Choking to death in Tehran" (20 March 2014), available at www.newsweek.com/2014/03/28/choking-death-tehran-248027.html.

49. WHO has observed that by-products of car emissions are a prime contributor to the high cancer rates found in the world's most polluted cities.[59] The head of the Iranian parliamentary committee for health care claimed that at one point Iranian petroleum contained 10 times the level of contaminants of imported fuel, and environmental investigators found that the level of sulphur in diesel gas sold in Tehran was roughly 800 times the international standard for sulphur. In addition, some experts have argued that sanctions, while problematic, have only compounded issues that were already contributing to pollution, such as population increase and mismanagement.[60] President Rouhani has stated that the administration will channel revenues from subsidy cuts into environmental programmes.[61]

50. Sanctions have also had a damaging impact on the agricultural sector, owing to the difficulties experienced in obtaining the technology and funds required for agricultural production. The lack of environmentally friendly technologies has reportedly affected wastewater and waste management quality standards as well. Sanctions have reportedly reduced agricultural exports, which has decreased agricultural revenues. This in turn has compelled rural populations to use more of the country's natural resources, placing additional burdens on the environment.

51. The Secretary-General believes that the human rights and environmental impacts of sanctions policies deserve the close attention of both the Iranian authorities and sanctions-imposing Member States, with a view to relieving their effects on the population.

# III. Cooperation with international human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights

## A. Cooperation with the United Nations human rights treaty system

52. The Islamic Republic of Iran is party to five of the United Nations core human rights treaties,[62] as well as to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. It is also a signatory to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The Government has declared that it has not ratified additional international human rights treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as a result of differences with Islamic doctrines and values.

---

[59] See World Health Organization, *Health Effects of Particulate Matter: Policy Implications for Countries in Eastern Europe, Caucasus and Central Asia (2013)*, available at www.euro.who.int/__data/assets/pdf_file/0006/189051/Health-effects-of-particulate-matter-final-Eng.pdf.

[60] Newsweek, "Choking to death in Tehran".

[61] Tehran Times, "Subsidy savings to boost health care, public transport: Rouhani" (30 April 2014), available at www.tehrantimes.com/economy-and-business/115442-subsidy-savings-to-boost-healthcare-public-transport-rouhani.

[62] The International Covenant on Civil and Political Rights, the International Convention on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities.

53. In terms of specific treaties, owing to delays, the Committee on the Rights of the Child invited the Islamic Republic of Iran to submit a consolidated report by February 2010 under the Convention on the Rights of the Child. The Secretary-General welcomes the fact that in March 2013, the country submitted its third report, which is to be reviewed by the 71st pre-sessional working group of the Committee, in June 2015. Furthermore, in December 2013 the Islamic Republic of Iran submitted its first report to the Committee on the Rights of Persons with Disabilities.

54. The Secretary-General regrets the lack of cooperation on the part of the Islamic Republic of Iran with the Human Rights Committee, which has repeatedly sought information on the implementation of the recommendations contained in paragraphs 9, 12, 13 and 22 of its concluding observations (CCPR/C/IRN/CO/3). The Secretary-General encourages the Government to promptly provide the information requested by the Committee and to engage in constructive dialogue with the treaty bodies as a critical mechanism for the review and improvement of human rights in the country.

55. The Secretary-General emphasizes the importance of full compliance with the follow-up mechanisms of treaty bodies, and encourages the Islamic Republic of Iran to seize the opportunity to examine progress made in the application of the human rights treaties by means of accurate, regular and timely State reporting.

## B. Cooperation with special procedures

56. Both the Secretary-General and the United Nations High Commissioner for Human Rights have repeatedly stressed the importance of allowing the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country. Since his appointment in August 2011, the Special Rapporteur has officially requested the Iranian authorities to invite him to undertake a country visit but so far he has not received a positive response. On a positive note, the Special Rapporteur has had some contacts with Iranian officials outside the country. He was able to meet with the Permanent Missions of the Islamic Republic of Iran in Geneva and in New York as well as with representatives of the judiciary, members of Parliament and the deputy head of the Iranian High Council for Human Rights. The Secretary-General welcomes this and encourages further dialogue.

57. In 2002, the Government issued a standing invitation to all thematic special procedures. However, despite this, no visits have been permitted since 2005. The Secretary-General remains hopeful that the standing invitation will be honoured in the future and that visits by the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on freedom of religion or belief will be authorized.

58. Additionally, the Secretary-General is troubled by the low number of replies by the Islamic Republic of Iran to the many communications sent by special procedures mandate holders. Communications continued to raise concerns regarding executions; torture; the arbitrary arrest and detention of journalists, human rights activists and lawyers; poor prison conditions; the denial of medical care to and the ill treatment of prisoners; custodial death; unfair trials; violence against women; discrimination on the basis of religion; and freedom of expression. Of the

25 communications sent in 2013, the authorities replied to only 10. As of June 2014, the response rate had declined further, with the Government replying to only 2 out of 10 urgent appeals communications.

### C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

59. The United Nations High Commissioner for Human Rights continued to raise human rights concerns with Iranian officials, including in meetings with the Minister for Foreign Affairs. She also intervened with authorities on several individual human rights cases, through private meetings, letters and public statements. These were related mainly to the rights of women, the death penalty and the rights to freedom of expression and peaceful assembly.

### D. Universal periodic review

60. The Government of the Islamic Republic of Iran underwent its first universal periodic review on 15 February 2010. It accepted 123 out of the 189 recommendations made. With a view to the second review of the Islamic Republic of Iran, scheduled for October and November 2014, the Secretary-General welcomes the country's submission of its national report on the implementation of the recommendations resulting from the first review. He calls upon the Government to actively involve civil society actors and other relevant organizations in preparing for the second review and to seek assistance from the United Nations in order to ensure follow-up on the resulting recommendations.

## IV. Recommendations

61. **The Secretary-General welcomes the positive statements and overtures in relation to freedom of expression and non-discrimination made by the Government of the Islamic Republic of Iran under President Rouhani, and encourages the authorities to translate them into concrete steps.**

62. **The Secretary-General remains deeply troubled by reports of increasing numbers of executions, including of political prisoners, and reiterates his call on the Government to introduce a moratorium on the use of the death penalty, and to prohibit executions of juvenile offenders in all circumstances.**

63. **The Secretary-General urges the Government to create space for human rights defenders, lawyers and journalists, and to release political prisoners, including human rights defenders and lawyers detained solely for legitimately exercising their rights to freedom of expression, association and peaceful assembly.**

64. **The Secretary-General encourages the authorities to promote and protect human rights in the Islamic Republic of Iran with a view to strengthening a national human rights culture. The Secretary-General urges the Government of the Islamic Republic of Iran to establish an independent national human rights institution, as also recommended by the Committee on Economic, Social and Cultural Rights.**

65. **The Secretary-General regrets that, despite repeated requests for a country visit, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran has still not been admitted to the country. The Secretary-General renews his call on the Government to fully cooperate in the fulfilment of the Special Rapporteur's mandate by inviting him to the country in the near future, as well as the thematic special procedures mandate holders in line with the standing invitation extended by the Islamic Republic of Iran.**

66. **The Secretary-General welcomes the engagement of the Islamic Republic of Iran with United Nations human rights treaty bodies, and urges the country to follow up on the concluding observations of all treaty bodies, and to ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

67. **As the Islamic Republic of Iran is scheduled to appear before the Human Rights Council for its second cycle of the universal periodic review later this year, the Secretary-General calls upon the Government to actively involve civil society actors and organizations in preparing for the review and to use the opportunity to engage in frank discussions and reflect on its human rights record over the past four years.**